

[CHAPTER 550]

JOINT RESOLUTION

To authorize the War Shipping Administration to sell or charter two merchant vessels to the Government of Ireland.

August 6, 1942
[H. J. Res. 246]
[Public Law 701]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the War Shipping Administration is authorized, with the approval of the President, to sell or charter the merchant vessels West Neris and West Hematite to the Government of Ireland, upon such terms and conditions as the War Shipping Administration may deem necessary or desirable for the protection of the public interest.

Ireland.
Sale or charter of
merchant vessels.

Approved, August 6, 1942.

[CHAPTER 551]

AN ACT

To amend the Act approved February 4, 1919 (40 Stat. 1056), entitled "An Act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes", so as to change the conditions for the award of medals, and for other purposes.

August 7, 1942
[S. 2456]
[Public Law 702]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved February 4, 1919 (40 Stat. 1056), entitled "An Act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes", is hereby amended to read as follows:

Navy.
Award of medals,
etc.
34 U. S. C. §§ 354-364.

"That the President of the United States be, and he is hereby, authorized to present, in the name of Congress, a medal of honor to any person who, while in the naval service of the United States, shall, in action involving actual conflict with the enemy, or in the line of his profession, distinguish himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty and without detriment to the mission of his command or to the command to which attached: *Provided*, That the design of this medal shall be the same as that adopted pursuant to the Act approved December 21, 1861 (12 Stat. 330).

Medal of honor.

"SEC. 2. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a Navy cross of appropriate design and ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who, while serving in any capacity with the naval service of the United States, distinguishes himself by extraordinary heroism in connection with military operations against an armed enemy.

Navio.
Design.

Navy cross.

"SEC. 3. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a distinguished-service medal of appropriate design and a ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who, while serving in any capacity with the Navy of the United States, since the sixth day of April 1917 has distinguished, or who hereafter shall distinguish, himself by exceptionally meritorious service to the Government in a duty of great responsibility.

Distinguished-serv-
ice medal.

"SEC. 4. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a silver star medal of appropriate design and a ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who, while serving in any capacity with the Navy of the United States, since December 6, 1941, has distinguished himself or who hereafter shall distinguish

Silver star medal.

himself conspicuously by gallantry and intrepidity in action, such gallantry and service not being sufficient to justify the award of a medal of honor or a Navy cross.

Navy and Marine
Corps Medal.

"SEC. 5. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a medal to be known as the Navy and Marine Corps Medal, of appropriate design with accompanying ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who while serving in any capacity with the United States Navy or Marine Corps, including the Naval Reserve or Marine Corps Reserve, shall have, since December 6, 1941, distinguished himself or herself by heroism not involving actual conflict with an enemy, or to any person to whom the Secretary of the Navy has heretofore awarded a letter of commendation for heroism, regardless of the date of such act of heroism, who makes application for such medal. No additional pay shall be payable under section 6 for service rendered prior to the date of the enactment of this section by virtue of the award of a Navy and Marine Corps medal based upon any act of heroism performed prior to December 7, 1941.

Additional pay for
each award.

"SEC. 6. That each enlisted or enrolled person of the naval service to whom is awarded a medal of honor, Navy cross, distinguished-service medal, silver star medal, or a Navy and Marine Corps Medal shall, for each such award, be entitled to additional pay at the rate of \$2 per month from the date of the distinguished act or service on which the award is based, and each bar, or other suitable emblem or insignia, in lieu of a medal of honor, Navy cross, distinguished-service medal, silver star medal, or a Navy and Marine Corps Medal, as hereby provided for, shall entitle him to further additional pay at the rate of \$2 per month from the date of the distinguished act or service for which the bar is awarded, and such additional pay shall continue throughout his active service, whether such service shall or shall not be continuous.

Bars, etc., for
succeeding acts of
heroism.

"SEC. 7. That no more than one medal of honor, or one Navy cross, or one distinguished-service medal, or one silver star medal or one Navy and Marine Corps Medal shall be issued to any one person; but for each succeeding deed or service sufficient to justify the awarding of a medal of honor, or Navy cross, or a distinguished-service medal, silver star medal, or a Navy and Marine Corps Medal, respectively, the President may award a suitable bar, or other suitable emblem or insignia, to be worn with the decoration and a corresponding rosette or other device.

Payment of cost of
medals, etc.

"SEC. 8. The Secretary of the Navy is hereby authorized to expend from the appropriation 'Pay, subsistence, and transportation of naval personnel' of the Navy Department so much as may be necessary to defray the cost of the medals of honor, Navy crosses, distinguished-service medals, silver star medals, and Navy and Marine Corps Medals, and bars, emblems, or insignia herein provided for, and so much as may be necessary to replace any medals, crosses, bars, emblems, or insignia as are herein or may hereafter have been provided for: *Provided*, That such replacement shall be made only in those cases where the medal of honor, Navy cross, distinguished-service medal, silver star medal, or a Navy and Marine Corps Medal, or bar, emblem, or insignia presented under the provisions of this or any other Act shall have been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was awarded and shall be made without charge therefor.

Provido.
Replacements.

Time limit for issu-
ance.

"SEC. 9. That, except as otherwise prescribed herein, no medal of honor, Navy cross, distinguished-service medal, silver star medal, Navy and Marine Corps Medal, or bar or other suitable emblem or

insignia in lieu of either of said medals or of said cross, shall be issued to any person after more than five years from the date of the act or service justifying the awarding thereof, nor unless a specific statement or report distinctly setting forth the act or distinguished service and suggesting or recommending official recognition thereof shall have been made by his superior through official channels at the time of act or service or within three years thereafter.

"SEC. 10. That in case an individual who shall distinguish himself dies before the making of the award to which he may be entitled, the award may nevertheless be made and the medal or cross or bar or other emblem or insignia presented within five years from the date of the act or service justifying the award thereof to such representative of deceased as the President may designate: *Provided*, That no medal or cross or no bar or other emblem or insignia shall be awarded or presented to any individual, or to the representative of any individual, whose entire service subsequent to the time he distinguished himself shall not have been honorable: *Provided further*, That in cases of persons now in the naval service for whom the award of the medal of honor, distinguished-service medal, or Navy cross, has been recommended in full compliance with then existing regulations, but on account of services which, though insufficient fully to justify the award of the medal of honor, the distinguished-service medal, or the Navy cross, appears to have been such as to justify the award of the silver star medal, or the Navy and Marine Corps Medal hereinbefore provided, such cases may be considered and acted upon under the provisions of this Act authorizing the award of the silver star medal or the Navy and Marine Corps Medal, notwithstanding that said services may have been rendered more than five years before said cases shall have been considered as authorized by this proviso, but all consideration or any action upon any of said cases shall be based exclusively upon official records now on file in the Navy Department.

Awards in case of death.

Provisos.
Subsequent honorable service.

Award of silver star medal, etc., in certain cases.

"SEC. 11. That the President be, and he hereby is, authorized to delegate, under such conditions, regulations, and limitations as he shall prescribe, to flag officers who are commanders in chief or commanding on important independent duty the power conferred upon him by this Act to award the Navy cross, the distinguished-service medal, silver star medal, and the Navy and Marine Corps Medal; and he is further authorized to make from time to time any and all rules, regulations, and orders which he shall deem necessary to carry into effect the provisions of this Act and to execute full purpose and intention thereof."

Delegation of power to make awards.

Rules and regulations.

SEC. 2. That section 1407 of the Revised Statutes (Act of May 17, 1864, ch. 89, sec. 3, 13 Stat. 79, 80); the Act of May 4, 1898, numbered 30 (30 Stat. 741), and the Act of March 3, 1901, chapter 850 (31 Stat. 1099), are hereby repealed.

Repeals.
34 U. S. C. §§ 134, 352, 351.

SEC. 3. The Act of March 3, 1915 (38 Stat. 931), is hereby amended by striking therefrom the following:

34 U. S. C. § 353.

"The President of the United States is hereby empowered to prepare a suitable medal of honor to be awarded to any officer of the Navy, Marine Corps, or Coast Guard who shall have distinguished himself in battle or displayed extraordinary heroism in the line of his profession."

Approved, August 7, 1942.